



*cr*  
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,345	12/29/2000	Eric W. Parsons	061473/0269982	8396

34845 7590 04/07/2004

STEUBING AND MCGUINNESS & MANARAS LLP  
125 NAGOG PARK  
ACTON, MA 01720

EXAMINER

ELAHEE, MD S

ART UNIT PAPER NUMBER

2645

DATE MAILED: 04/07/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/753,345

Applicant(s)

PARSONS ET AL.

Examiner

Md S Elahee

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-12 and 15-19 is/are pending in the application.
- 4a) Of the above claim(s) 5, 13, 14 and 20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-12 and 15-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

***Response to Amendment***

1. This action is responsive to an amendment filed 01/21/04. Claims 1-4, 6-12 and 15-19 are pending. Claims 5, 13, 14 and 20 have been cancelled.

***Response to Arguments***

2. Applicant's arguments with respect to claims 1-4, 6-12 and 14-16 have been fully considered but they are not persuasive.

Regarding claim 1, the Applicant argues on page 6, lines 9-11 that Bobo neither describe nor suggests forwarding a collection, no indication is provided of the most recent in the collection. The examiner disagrees with this argument. Because, Bobo does disclose displaying the total number and types of messages including the date and time that each of the messages was received (col.9, lines 20-31, 40-65). Therefore, it is very clear that from the date and time of the messages, the user will be able to be informed about the most recent messages received. Thus the rejection of the claim in view of Bobo and Gustafsson remain.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2645

4. Claims 1-4, 6-12, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bobo, II (U. S. Patent No. 6,564,321) and in view of Gustafsson (U. S. Patent No. 6,424,841).

Regarding claims 1 and 9, Bobo teaches collecting notification message associated with each of the message types (abstract; fig.2; col.7, lines 57-67, col.8, lines 1-12, col.9, lines 21-29; 'notification message' reads on the claim 'information regarding at least two message events' and 'message types' reads on the claimed 'message feeds').

Bobo further teaches updating a list of messages for the user based on the collected information (fig.2; col.7, lines 57-67, col.8, lines 1-12, col.9, lines 21-29).

Bobo further teaches preparing a notification based on the updated list of messages (col.8, lines 1-12, col.9, lines 21-29; 'notification' reads on the claim 'alert').

Bobo further teaches sending the notification to a paging system associated with the user (col.9, lines 21-29; 'sending the notification' reads on the claim 'pushing the alert' and 'paging system' reads on the claim 'wireless device').

Bobo fails to teach "pushing the alert using a Wireless Access Protocol (WAP) push protocol". Gustafsson teaches SMS server 400 coupled to proxy server device 140 serving the wireless client devices through airnet 120 using the WAP communication protocol (fig.3, fig.4, fig.5; col.13, lines 32-41, 65,66; col.14, lines 1-6; 'serving' reads on the claim 'pushing the alert' and 'WAP communication protocol' reads on the claim 'WAP push protocol'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bobo to have transmit SMS message using WAP communication protocol as taught by

Art Unit: 2645

Gustafsson. The motivation for the modification is to allow wireless users to get SMS message using WAP communication protocol.

Bobo further teaches displaying the date and time (i.e., alert including an indication of the most recent message event) of each of the messages was received (i.e., at least two message events) (col.9, lines 20-31, 40-65).

Bobo further teaches storing information associated with the updated list of messages (col.8, lines 1-12, col.9, lines 21-29; 'storing' reads on the claim 'archiving').

Regarding claims 2 and 10, Bobo teaches providing a link in the notification for accessing the stored information via a paging system (col.8, lines 1-12, 25-49, col.9, lines 21-29; 'notification' reads on the claim 'pushed alert' and 'stored information via a paging system' reads on the claim 'archived via a wireless interface').

Regarding claims 3 and 11, Bobo teaches the messages comprising voice mail, fax mail, e-mail etc. (col.7, lines 57-65, col.9, lines 21-29).

Regarding claims 4 and 12, Bobo teaches the message events include one of a types of message (col.9, lines 21-29; 'types of message' reads on the claim 'newly received voice mail, a deleted voice mail a read voice mail, a newly received email, a deleted email, a read email, a newly received fax, a deleted fax, a newly received information message, a deleted information message, a read information message, and a missed phone call').

Regarding claim 6, Bobo teaches generating additional information according to user preference (col.9, lines 30, 31; 'user preference' reads on the claim 'an indication of a most recent one of the message events').

Art Unit: 2645

Regarding claims 7 and 15, Bobo teaches preparing an identification information associated with newly received message (col.14, lines 33-36; 'identification information' reads on the claim 'identification of a caller' and 'sender' reads on the claim 'caller' and 'newly received message' reads on the claim 'most recent message event')

Regarding claims 8 and 16, Bobo teaches preparing a respective total of messages associated with each of the message types (col.9, lines 21-29; 'types' reads on the claim 'feeds').

7. Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bobo, II (U.S. Patent No. 6,564,321) and in view of Matthews et al. (U.S. Patent No. 4,602,129).

Regarding claim 17, Bobo teaches a Message Storage and Delivery System (MSDS) collecting information about at least two messages stored for certain of the plurality of users by the message types (i.e., first message feed and the second message feed), the MSDS being adapted to notify based on the collected information to paging system associated with the certain users (abstract; fig.2; col.7, lines 57-67, col.8, lines 1-12, col.9, lines 21-29, 40-65; 'Message Storage and Delivery System (MSDS)' reads on the claim 'notification server', 'notify' reads on the claim 'push alerts' and 'paging system' reads on the claim 'wireless devices').

Bobo further teaches a database coupled to the Message Storage and Delivery System (MSDS) for storing message headers based on the collected information, the notification including a link for accessing the database and the date and time (i.e., an indication of the most recent one) of each of the messages was received (i.e., at least two messages) (fig.17; col.8, lines 1-12, 25-49, col.9, lines 20-31, 40-65; 'database' reads on the claim 'archive', 'Message Storage and Delivery System (MSDS)' reads on the claim 'notification server' and 'notification' reads on the claim 'pushed alerts').

Art Unit: 2645

Bobo further teaches that the communication system further includes a central office coupled to a plurality of office phones associated with the certain users, one of the first and second message types being voice mail associated with the office phones (fig.1; col.7, lines 57-67, col.8, lines 1-12; 'types' reads on the claim 'feeds'). However, Bobo fails to teach "PBX coupled to a plurality of office phones". Matthews teaches the user's telephones 18 connected to the PBX's 12 have access to the VMS 10 and the features of the VMS 10 may be utilized by a small customer with a single PBX 12 or by much larger customers having multiple PBX's 12 interfaced with a single VMS 10 (fig.1; col.4, lines 41-46; 'much larger customers having multiple PBX's 12' reads on the claim 'a PBX coupled to a plurality of office phones'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bobo to have a PBX coupled to the office phones as taught by Matthews. The motivation for the modification is to allow more users to handle the phone calls.

Regarding claim 18, Bobo teaches a paging interface adapted to communicate with the paging system in response to selection of the link included in the notification (col.8, lines 1-12, 25-49, col.9, lines 21-29; 'paging interface adapted to communicate with the paging system' reads on the claim 'wireless interface adapted to communicate with the wireless device' and 'notification' reads on the claim 'pushed alerts').

Regarding claim 19, Bobo teaches the message events include one of a types of message (col.9, lines 21-29; 'types of message' reads on the claim 'a voice mail, fax mail, email, and an information source, and the second message feed comprises a different one of the voice mail, fax mail, email, and the information source').

*Conclusion*

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and for After Final communications.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [shafiulalam.elahce@uspto.gov].



Art Unit: 2645

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

**Any response to this action should be mailed to:**

**Box AF**

Commissioner of Patents and Trademarks

Washington, DC 20231

**or faxed to:**

(703) 308-5397(for formal communications intended for entry; please mark "EXPEDITED  
PROCEDURE")

(703)**306-5406**(for informal or draft communications, such as proposed amendments to be  
discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

**or hand-carried to:**

Crystal Park Two

2121 Crystal Drive

Arlington, VA.

Sixth Floor (Receptionist)

Application/Control Number: 09/753,345

Page 9

Art Unit: 2645

M. E.

MD SHAFIUL ALAM ELAHEE

April 4, 2004

Allan Hoosain  
ALLAN HOOSAIN  
PRIMARY EXAMINER for  
Fan Tsang